

## HOUSE AMENDMENTS TO HOUSE BILL 3059

By JOINT COMMITTEE ON WAYS AND MEANS

June 16

1 On page 1 of the printed bill, line 2, after the first semicolon insert “creating new provisions;”  
2 and delete “431.623, 431.627” and insert “431.617, 431.623”.

3 Delete lines 27 through 30.

4 On page 2, delete lines 1 through 43.

5 In line 44, delete “3” and insert “2”.

6 On page 3, after line 23, insert:

7 **“SECTION 3. Section 4 of this 2009 Act is added to and made a part of ORS 431.623 to**  
8 **431.671.**

9 **“SECTION 4. (1) As used in this section, ‘individually identifiable information’ means:**

10 **“(a) Individually identifiable health information as that term is defined in ORS 179.505;**  
11 **and**

12 **“(b) Information that could be used to identify a health care provider, ambulance service**  
13 **medical transportation agency or health care facility.**

14 **“(2) Notwithstanding ORS 431.627, individually identifiable information may be released**  
15 **from the Oregon Trauma Registry:**

16 **“(a) For use in executive session to conduct specific case reviews by:**

17 **“(A) The State Trauma Advisory Board or any area trauma advisory board;**

18 **“(B) The State Emergency Medical Service Committee; or**

19 **“(C) The Emergency Medical Services for Children Advisory Committee.**

20 **“(b) For quality assurance or quality improvement purposes to an emergency medical**  
21 **services provider or a designated trauma center if the information is related to the treat-**  
22 **ment of an individual by the provider or center.**

23 **“(c) To a person conducting research only if an institutional review board has approved**  
24 **the research in accordance with 45 C.F.R. part 46 and the person agrees to maintain the**  
25 **confidentiality of the information.**

26 **“(3) The Department of Human Services may release only the minimum amount of indi-**  
27 **vidually identifiable information necessary to carry out the purposes for which it is released**  
28 **under this section.**

29 **“SECTION 5. ORS 431.617 is amended to read:**

30 **“431.617. [No provider shall] (1) A provider may not be held liable for acting in accordance**  
31 **with approved trauma system plans.**

32 **“(2) A person who in good faith provides data or other information to the Oregon Trauma**  
33 **Registry in accordance with ORS 431.623 to 431.671 is immune from any civil or criminal li-**  
34 **ability that might otherwise be incurred or imposed with respect to provision of the data.”.**

35 In line 24, delete “4” and insert “6”.

